

GENERAL COUNSEL'S REPORT COVER PAGE

February 22, 2017

B. Staff Request for Agency Guidance - Update
Deferred from December meeting.

Life House Hospice, Inc. Cookeville (Putnam County), TN — CN1405-016A
Life House Hospice, Inc. Cookeville (Putnam County), TN — CN1406-023A

The referenced applications (the first being an Emergency CON application) requested the establishment of a home care organization to provide hospice services in Putnam County, Tennessee in conjunction with the existing Life House Residential Hospice located at 570 State Street, Cookeville, Tennessee. The emergency certificate of need and follow-up certificate of need were requested because Life House, a licensed residential hospice, had to cease all residential/inpatient operations due to its inability to become Medicare-certified because CMS will not certify a stand-alone residential hospice.

Agency staff had intended to seek guidance whether to initiate a contested case pursuant to T. C. A. § 68-11-1619 for the revocation of these certificates of need. However, Byron Trauger, on behalf of the current owner of these agencies, Hospice of Chattanooga, appeared before the TDH Board for Licensing Health Care Facilities (BLHCF) on 2/8/17 to request that both the residential hospice and hospice licenses be placed in a one year inactive status so the owner could pursue resuming residential hospice services. The BLHCF granted the inactive status until the February 2018 board meeting. Since no services are being provided and the owner is not actively trying to sell the hospice license, no action is requested at this time.

Mark Ausbrooks

From: Melanie Hill
Sent: Wednesday, February 15, 2017 7:38 PM
To: Mark Ausbrooks
Subject: FW: Hospice of Chattanooga (Life House Hospice)

From: Byron R. Trauger [<mailto:brt@tntlaw.net>]
Sent: Tuesday, February 14, 2017 7:31 PM
To: Melanie Hill
Cc: Jim Christoffersen; James L. Catanzaro - Chambliss, Bahner & Stophel, P.C. (jcatanzaro@chamblisslaw.com); David Winchester (david_winchester@hospiceofchattanooga.org)
Subject: Hospice of Chattanooga (Life House Hospice)

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Dear Melanie,

As you know, Hospice of Chattanooga purchased Life Point Hospice and now owns the two licenses to provide hospice services in the Cookeville, TN area: #9 (residential hospice) and #622 (hospice). No services are now being provided under these two licenses, and Hospice of Chattanooga no longer has the lease at the location of 570 State St., Cookeville, TN.

At its February 8, 2017 meeting, the Tennessee Board for Licensing Health Care Facilities unanimously placed both licenses in inactive status until the Board's February 2018 meeting. The Board took this action upon my representation, on behalf of Hospice of Chattanooga, that Hospice of Chattanooga will use the period of inactive status to seek to resume residential hospice services in the Upper Cumberland area, where there remains a need for those services.

Under these circumstances, Hospice of Chattanooga respectfully requests that the Health Services and Development Agency take no further action in connection with these two licenses, or the certificates of need that underlie them, in order that Hospice of Chattanooga be able to pursue the possibility of resuming residential hospice services in the area.

Thank you very much.

Byron R. Trauger

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